

[Unapproved and Subject to Change]
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
MINUTES OF MEETING, Public Session

June 8, 2006

Call to order: Chairman Liane Randolph called the monthly meeting of the Fair Political Practices Commission (Commission) to order at 9:50 a.m., at 428 J Street, Eighth Floor, Sacramento, California. In addition to Chairman Randolph, Commissioners Sheridan Downey, Gene Huguenin, and Ray Remy were present. Commissioner Phil Blair was unable to attend.

Item #1. Public Comment.

There was none.

Consent Items #2-6.

Commissioner Remy moved to approve the following items in unison:

Item #2. Approval of the May 11, 2006, Commission meeting minutes.

Item #3. In the Matter of Richard Griffin, Committee to Re-elect Richard Griffin, and Bettye C. Griffin, FPPC No. 03-524 (14 counts).

Item #4. In the Matter of Service Employees International Union Political Education and Action Fund (SEIU PEA) and Anna Burger, FPPC No. 05-886 (7 counts).

Item #5. In the Matter of Vinnie Lopes, FPPC No. 06-150 (1 count).

Item #6. Failure to Timely File Major Donor Campaign Statements.

- a. In the Matter of Linda Dealy, FPPC No. 06-169 (1 count).**
- b. In the Matter of Kimberly Janovitch, PhD, FPPC No. 06-173 (1 count).**
- c. In the Matter of Claude S. Munday, FPPC No. 06-176 (1 count).**
- d. In the Matter of Christopher Stevens, Cambridge Communities, LLC & Affiliated Entities, FPPC No. 06-261 (1 count).**
- e. In the Matter of Dublin Insurance, FPPC No. 06-288 (1 count).**
- f. In the Matter of Scott Goldman, FPPC No. 06-290 (1 count).**
- g. In the Matter of Goldstein, Gurvitz, Marlowe & Miller, LLP, FPPC No. 06-291 (1 count).**

- h. In the Matter of William Josephs, PhD, LLP, FPPC No. 06-299 (1 count).**
- i. In the Matter of Annette V. Murdaca, FPPC No. 06-303 (1 count).**
- j. In the Matter of Thousand Oaks Toyota, FPPC No. 06-312 (1 count).**
- k. In the Matter of University of California, Berkeley Foundation, FPPC No. 06-313 (1 count).**

Commissioner Downey seconded the motion. Commissioners Downey, Huguenin, Remy, and Chairman Randolph supported the motion, which carried a 4-0 vote.

ACTION ITEMS

Item #7. Adoption of Proposed Amendments to Regulation 18537 — Contribution Limits and Application to Repaid Loans.

Chris Espinosa, Executive Fellow, presented for adoption proposed amendments to regulation 18537. The changes deal with the term “election cycle” which is currently featured in all three subdivisions of this regulation, but for purposes of this regulation, is not defined. These amendments are being offered to clarify regulatory language reflecting the Commission’s interpretation of section 82015 as applied to contribution limits and repaid loans, and of section 84211 as it related to the contents of campaign statements. By adopting these amendments the Commission will be adding a new subdivision to state that this regulation is applicable to the contribution limits of chapter 5 of this title. This new subdivision is being inserted to clearly state the limitations of this regulation. Upon adoption the Commission will also be deleting the obsolete language of “election cycle.” This language, which was originally added to address the special election limits of proposition 73, has since become outdated with the passage of proposition 34. Therefore, the term “election cycle” will be replaced with language that better conforms to the changes that were brought about with the passage of proposition 34 and current statutes.

Mr. Espinosa added that there are some technical changes being proposed that seek to make this regulation more consistent with the current language and reporting requirements of the Political Reform Act (the “Act”). Staff has not received any public comment concerning these proposed amendments.

Chairman Randolph asked for any questions from the Commissioners.

There were none.

Chairman Randolph asked for any public comment.

There was none.

Commissioner Downey moved to approve the proposed amendments to regulation 18537.

Commissioner Huguenin seconded the motion, which passed with a 4-0 vote.

Chairman Randolph added that this was Mr. Espinosa's last Commission Meeting and thanked him for his great work. All of the division chiefs have been very pleased with his work.

Mr. Espinosa thanked the Commission for a very pleasurable experience and for the important and substantive work. The Commission has an incredibly hard working and dedicated staff.

Item #8. June 2006 Work Plan Revisions.

Luisa Menchaca, General Counsel, explained that the Work Plan Revisions for June 2006 reflect primarily adjustments that have been made to accommodate various workload staffing issues. There will be an Interested Persons meeting on June 20 regarding Campaign projects, Item 1 and 3. It is possible that, as a result of that meeting, staff may come back with a discussion item, as opposed to prenotice discussion. Staff would like to make sure that the public has sufficient time to provide input as well as enough time for staff to contemplate the various complicated issues in terms of federal and state campaign issues.

Ms. Menchaca added that staff anticipates holding another Interested Persons meeting on July 11 relating to the "public generally" regulatory project. A comment letter was received pertaining to the project. At this point, staff does not contemplate any particular proposals. The purpose for the meeting on July 11 is for the public to give staff input regarding where additional amendments may be necessary.

Chairman Randolph asked for any questions from the Commission.

There were none.

Chairman Randolph asked for any public comment.

There was none.

Item #9. Approval of Revised Campaign Disclosure Manuals 1 and 2 and Form 461.

Chairman Randolph asked for any questions or comments from the Commission.

There were none.

Commissioner Remy moved approval of the revised campaign disclosure manuals 1 and 2 and Form 461.

Commissioner Downey seconded the motion, which passed with a 4-0 vote.

Item #10. Legislative Report

Mark Krausse, Executive Director, said that AB 2801 is the bill being sponsored by the Commission to simplify the collections process so that a separate civil lawsuit is not required in order to convert an order to a judgment. There has been some opposition based the minority caucuses concern that it would be a violation of due process. The bill has been amended to submit for voter approval. The Senate will put language in the bill that will hopefully satisfy the Republican caucus. That is the only legislative update not included in the report.

Chairman Randolph asked for any questions from the Commission.

There were none.

Mr. Krausse added that AB 1391, the bill that the Commission had concerns on regarding disclosure levels, is still being considered by Assemblymember Leno. The concerns of the Commission will be communicated to the Senate Elections Committee to make sure that, as a policy matter, those concerns are known.

Item #11. Executive Director's Report

Mr. Krausse reported that there was nothing to add to the written report.

Item #12. Litigation Report.

Ms. Menchaca reported that there was nothing to add to the written report.

Chairman Randolph adjourned the meeting at 10:01 a.m.

Dated: June 8, 2006

Respectfully submitted,

Kelly Nelson
Commission Assistant

Approved by:

Liane Randolph
Chairman